

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2015-0118 – Emerald Forest @  
William Cannon Rezoning

**P.C. DATE:** October 27, 2015

**ADDRESS:** 6707 Emerald Forest Drive

**DISTRICT AREA:** 2

**OWNER:** JBS Holdings, LP  
(Sheri Krause)

**AGENT:** Alice Glasco Consulting  
(Alice Glasco)

**ZONING FROM:** SF-3-NP; LO-NP      **TO:** LR-MU-NP      **AREA:** 1.56 acres

**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) combining district zoning. The Conditional Overlay 1) limits the number of daily vehicle trips to 2,000, 2) prohibits service station, and 3) prohibits drive-in services as an accessory use.

**PLANNING COMMISSION RECOMMENDATION:**

October 27, 2015:

**ISSUES:**

The Applicant has discussed this case with the Armadillo Park Neighborhood Association.

**DEPARTMENT COMMENTS:**

The subject irregular-shaped platted lot is situated at the northeast corner of Emerald Forest Drive and William Cannon Drive, and extends east to Cooper Lane. The east half of the property is less than 45 feet wide and tapers to less than 4 feet at Cooper Lane, and thus has limited usability. The property originally contained a sales office that was used when the subdivision to the north was under construction. The sales office has been removed and presently hosts annual sales of Christmas trees and occasional flea markets. The area that contained the office and associated parking, as well as access points to Emerald Forest and William Cannon is zoned limited office – neighborhood plan (LO-NP) district, and is surrounded family residence – neighborhood plan (SF-3-NP) district which prior to the late 1980s provided “compatibility standards” to adjacent SF-2 and SF-3 properties. There are single family residences to the north that access Armadillo Road and Cooper Lane (NO-MU-CO-NP; SF-6-NP; SF-3-NP); apartments on the east side of Cooper Lane (LR-NP; GR-NP); a car wash, apartments and condominiums on the south side of West William Cannon Drive (GR; MF-2-CO; LO); and undeveloped property and medical offices on the west side of

Emerald Forest (LO-NP; LR-NP). Please refer to Exhibit A (Zoning Map), A-1 (Aerial) and B (Recorded Plat).

The Applicant has requested neighborhood commercial – mixed use – neighborhood plan (LR-MU-NP) combining district zoning in order to have the ability to develop the property with commercial and/or residential uses. Staff recommends LR-MU-CO-NP district zoning based on the following considerations of the property: 1) location at the intersection of an arterial roadway and collector street; 2) designation as a Neighborhood Transition by the Garrison Park Character District map which allows for a range of residential uses and smaller-scaled office and commercial uses, 3) the CO prohibits the more intense uses of service station and drive-through services, and 4) limits the number of daily vehicle trips to 2,000.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP; LO-NP	Parking area; Annual sales of Christmas trees
<i>North</i>	NO-MU-CO-NP; SF-6-NP; SF-3-NP	Residences on large lots; Church; Reservoir; Neighborhood park
<i>South</i>	GR; MF-2-CO; LO	Automotive washing; Apartments; Condominiums
<i>East</i>	LR-NP; GR-NP	Apartments
<i>West</i>	LO-NP; LR-NP; SF-3-NP	Undeveloped; Medical offices; Nail salon; Single family residences on large lots

**NEIGHBORHOOD PLANNING AREA:** South Austin Combined (Garrison Park)

**TIA / NTA:** Is not required

**WATERSHEDS:** Williamson Creek;  
South Boggy Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SCHOOLS:**

Odom Elementary School

Bedichek Middle School

Crockett High School

**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association  
 511 – Austin Neighborhoods Council  
 627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District  
 1008 – Woodhue Community Neighborhood Watch  
 1228 – Sierra Club, Austin Regional Group  
 1340 – Austin Heritage Tree Foundation  
 1363 – SEL Texas  
 1374 – Friends of Williams Elementary  
 1386 – Friends of Armadillo Park  
 1424 – Preservation Austin  
 1429 – Go!Austin / Vamos!Austin (GAVA)-78745

1447 – Friends of the Emma Barrientos MACC

1468 – Armadillo Park Neighborhood Association

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0077.SH – Garden Terrace Phase 3 – 1015 West William Cannon Dr	MF-2-CO to MF-2-CO, to change a condition of zoning	To Grant MF-2-CO to modify the 22' height limit to 35' 1/2 story; remove the FAR limit; modify the max # of dwelling units from 103 to 123; and modify the corresponding # of dwelling units per acre from 17.85 to 21.32.	Apvd as Commission recommended (8-29- 2013).
C14-2008-0103 - 1100 West William Cannon Dr	LO to GR-MU	Withdrawn by Applicant prior to Commission hearing	Not applicable
C14-01-0025.SH – Garden Terrace – 1015 West William Cannon Dr	SF-3 to MF-1- CO, as amended	To Grant MF-1-CO w/CO for a FAR limit of 1:0.17852	Apvd MF-1-CO w/CO limiting height to 22'; prohibiting club or lodge; community recreation (private & public); telecommunication tower, and FAR of 1:0.17852 (10-25- 2001).
C14-01-0084 – Armadillo Road – 1001 Armadillo Rd and 6605 Emerald Forest Dr	SF-3 to NO for Tract 1; SF-6 for Tract 2	To Grant NO-MU-CO for Tract 1 and SF-6 for Tract 2 w/CO limiting the uses to administrative and business offices, professional offices, day care (general & limited), and software development, 100 trips per day, and 15' landscape buffer along the north and east property lines.	Apvd NO-MU-CO for Tract 1 and SF-6 for Tract 2 (10-25-2001).
C14R-86-174 –	LO to GR	Forwarded to City	Denied GR (1-8-1987).

Emerald Forest Retail Center – 1000 Block of William Cannon Dr		Council without a recommendation	
C14-84-337 – Mike Cornett (Genie's Car Wash) – 1015–1117 West William Cannon Dr	I-SF-3 to GR	To Grant GR, 1 <sup>st</sup> Height and Area	Apvd GR w/RC limiting the property to car care center including washing, vacuuming facilities, gasoline sales, detailing services, lube and oil change service with racks; attached Site Plan and Compatibility Standards Waiver approved (7-31-1986).

### **RELATED CASES:**

The subject property is located within the boundaries of the South Austin Combined (Garrison Park) Neighborhood Planning Area. On the adopted Character District Map, the rezoning area is designated as the Neighborhood Transition district (NP-2014-0030 – Ordinance No. 20141106-085). The –NP combining district was appended to the existing GR base district (C14-2014-0019 – Ordinance No. 20141106-088).

The property is approximately 786 feet in length along William Cannon and platted as Lot 1, Anderson Professional Park subdivision, recorded in 1977 (C8S-77-170). A previous zoning from LO to GR with attached site plan was denied by the Planning Commission on July 7, 1987 and subsequently expired (C14R-87-095 – George Coffey Automotive Sales). There are no site plan applications currently in process on the subject property.

The property was annexed into the full-purpose City limits in November 1972 (C7-72-4AL).

### **ABUTTING STREETS:**

Name	ROW	Pavement	Classification	ADT
William Cannon Drive	120 feet	MAD-6	Major Arterial	36,443
Emerald Forest Drive	80 feet	44 feet	Collector	5,870

- William Cannon Drive is classified in the Bicycle Plan as Bike Route No. 80.
- Emerald Forest Drive is classified in the Bicycle Plan as Bike Route No. 331.
- Capital Metro bus service (Route No. 333) is available along William Cannon Drive.
- There are existing sidewalks along William Cannon Drive and Emerald Forest Drive.

**CITY COUNCIL DATE:** November 12, 2015

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

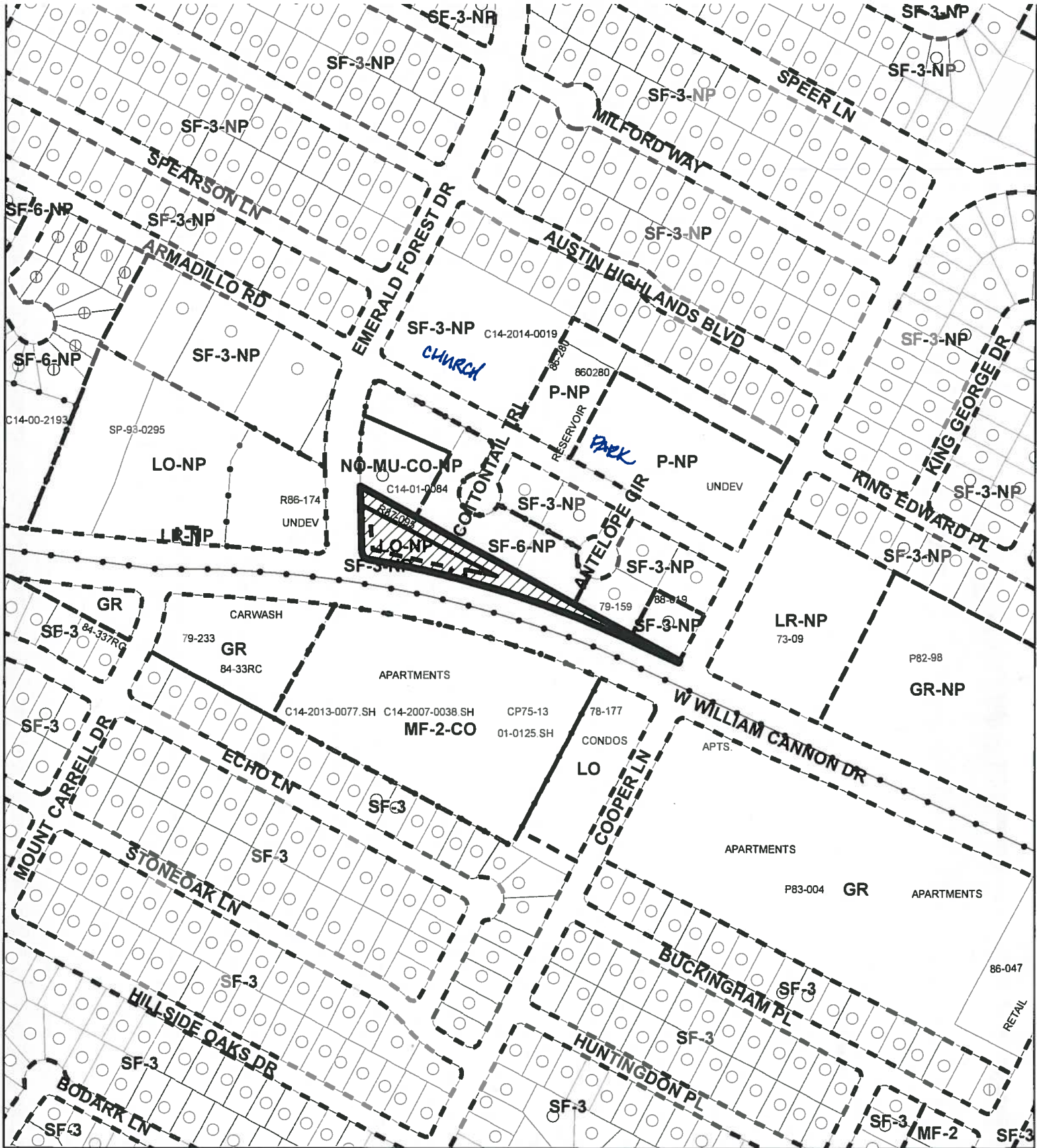
2<sup>nd</sup>




3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov

**PHONE:** 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
CASE#: C14-2015-0118

*EXHIBIT A*



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 300'





SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

SPEER LN

SF-3-NP

SF-3-NP

SF-6-NP

SF-3-NP

SF-3-NP

P-NP

P-NP

LO-NP

NO-MU-CO-NP

SF-3-NP

SF-6-NP

SF-3-NP

LR-NP

LO-NP

SF-3-NP

W WILLIAM CANNON DR

LR-NP

SF-3-NP

SF-3

GR

GR

MF-2-CO

LO

SF-3

GR

SF-3

SF-3

SF-3

SF-3

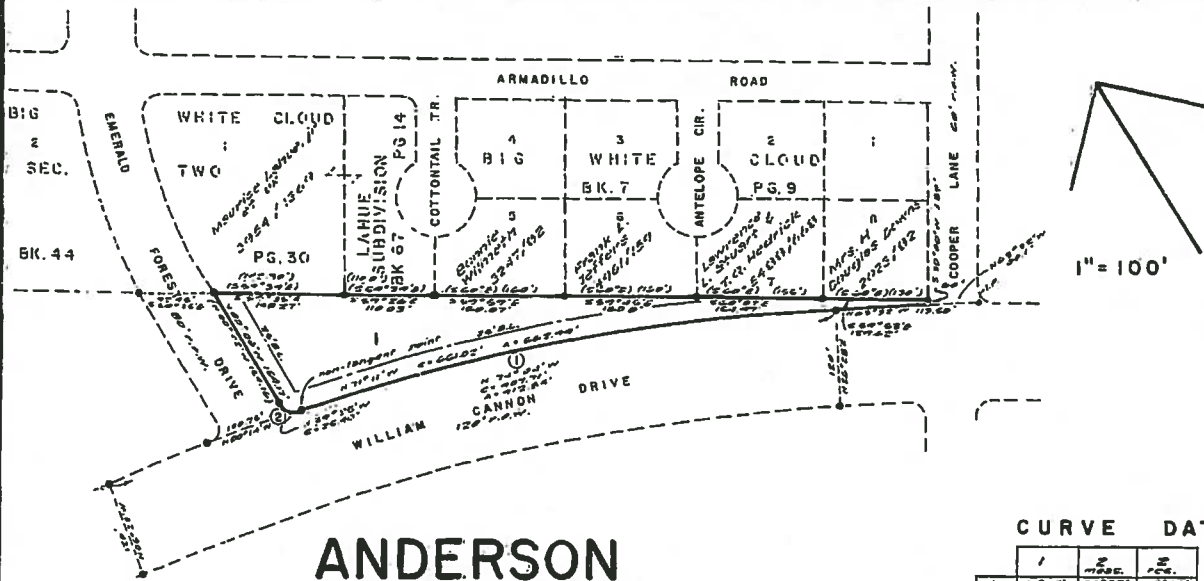
SF-3

SF-3

SF-3

MF-2





# ANDERSON PROFESSIONAL PARK

CURVE DATA			
	1	2	3
Δ	27°06'	78°55'	78°00'
R	240.76	19.97	20.00
T	44.66	16.35	
C	78.71	25.40	25.42
A	412.05	27.62	27.66

State of Texas:  
County of Travis:  
Know All Men by These Presents:

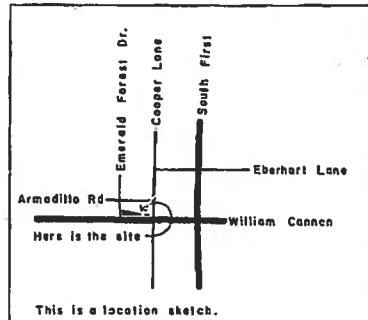
That we Edward R. Rathgeber and Jessie B. Anderson owners of 1.56 acres of land situated in the William Cannon Survey No. 19, Abstract No. 6 all in Travis County, Texas as conveyed to us by deeds recorded in Volume 4365 of Page 40 of the deed records of Travis County, Texas do hereby subdivide said 1.56 acres of land to be known as "Anderson Professional Park" and do hereby dedicate to the public use of all easements shown hereon subject to any easements or restrictions heretofore granted.

Witness Our Hands this 30th day of June, A.D. 1977.

*Edward R. Rathgeber* *Jessie B. Anderson*  
Edward R. Rathgeber Jessie B. Anderson  
5324 Cooper Lane Austin, Texas 78753

## Legend

- Iron pin set
- Iron pin found
- ( ) Record
- Concrete monument found



State of Texas:  
County of Travis:

Before me, the undersigned authority, on this day personally appeared Edward R. Rathgeber and Jessie B. Anderson known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations expressed therein.

Given under my hand and seal of office this 30th day of June, A.D. 1977.



Approved for Acceptance

This the 30th day of June, A.D. 1977.

*Richard Salter*  
Director, Department of Planning

Accepted and Authorized for Record

By the Planning Commission of the City of Austin, Texas, this the 30th day of June, A.D. 1977.

*Richard Salter* *Miguel A. Guerrero*  
Secretary Chairman

### Plat Drainage Note:

Prior to construction, drainage plans will be submitted to the City Engineering Dept. for approval. Rainfall runoff shall be held to the amount existing at undeveloped status by use of ponding or other approved methods.

### Sidewalks shall be constructed

On William Cannon Drive (an Emerald Forest Drive) prior to acceptance of any Type I or II driveway approach and/or certificate of occupancy. Sidewalks which have not been installed with the 1965 of the recording of this plat may, upon approval of the City Council, be constructed by the City of Austin and assessment shall be made against the affected properties for all engineering, administration construction costs.

Filed for Record

At 3:30 P.M. this the 9 day of Nov. A.D. 1977.

Debris Shropshire, Clerk of the County Court, Travis County, Texas.

*Mike Kilgore*  
Deputy

State of Texas:  
County of Travis:

I, Debris Shropshire, Clerk of the County Court in and for Travis County, Texas do hereby certify that the foregoing instrument with its certificate of authentication was filed in my office at 3:30 P.M. this the 9 day of Nov. 1977 and duly recorded at 3:30 P.M. this the 9 day of Nov. A.D. 1977 in the Plat Records of Travis County, Texas in Book 76 at Page 58.

Witness my hand and seal of office of the County Court of Travis County, Texas on the last date written above.

*Mike Kilgore* *Debris Shropshire*  
Deputy Clerk of the County Court, Travis Co., Texas

I hereby certify that Austin City Code Chapter 22.27 of 1964 has been complied with.



Registered Professional Engineer

Surveyed by:

June 30 1977  
Date

TRAVIS ASSOCIATES  
CONSULTING ENGINEERS  
AUSTIN, TEXAS 78701

RECEIVED  
JUL 2 1977

CBS-77-170

EXHIBIT B  
RECORDED PLAT



**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) combining district zoning. The Conditional Overlay 1) limits the number of daily vehicle trips to 2,000, 2) prohibits service station, and 3) prohibits drive-in services as an accessory use.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

*1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The neighborhood commercial (LR) district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: “The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.” The property has frontage on East William Cannon Drive and Emerald Forest Drive.

*2. Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and collectors.*

Staff recommends LR-MU-CO-NP district zoning based on the following considerations of the property: 1) location at the intersection of an arterial roadway and collector street; 2) designation as a Neighborhood Transition by the Garrison Park Character District map which allows for a range of residential uses and smaller-scaled office and commercial uses, 3) the CO prohibits the more intense uses of service station and drive-through services, and 4) limits the number of daily vehicle trips to 2,000.

**EXISTING CONDITIONS****Site Characteristics**

The subject lot is undeveloped, heavily treed and is fairly flat.

**Impervious Cover**

Within the Williamson Creek and South Boggy Creek watersheds, the maximum impervious cover allowed by the LR zoning district would be 80%, which is a consistent figure between the watershed and zoning regulations.

### **Comprehensive Planning**

This undeveloped, long and narrow 1.56 acre parcel is located on the northeast corner of W. William Cannon Drive and Emerald Forest Drive. The property is also located within the boundaries of South Austin Combined Neighborhood Planning area, in the Garrison Park NP. Surrounding land uses includes single family housing to the north, a condominium complex and senior living to the south, undeveloped land to the west, and apartments to the east. The proposal is for non-specified commercial and/or a residential land use.

#### **South Austin Combined (SACNP) Neighborhood Plan**

The SACNP Character District Map of this plan designates this portion of West William Cannon Drive as a **Neighborhood Transition Character District**, which is intended primarily for residential uses, such as clusters of duplexes, four-plexes, and apartment buildings, along with small-scaled offices and neighborhood-serving businesses. Neighborhood Transition districts create a buffer between Residential Core districts and more intense character districts or busy roads. Many of these districts are located along Imagine Austin Activity Corridors. LR-MU zoning is permitted in the Neighborhood Node Character District. The following text and policies taken from the SACNP are applicable to this request:

#### ***Neighborhood Transition Character District (p 53 and 54)***

**Neighborhood Transition Vision:** The Neighborhood Transition District blends seamlessly with the Residential Core. It contains an abundance of mature trees and landscaping and is walkable, bikeable, and supportive of transit.

Neighborhood Transition character districts, along with Neighborhood Nodes, border the Residential Core along arterial roadways. Primarily residential, these areas consist of clusters of duplexes, four-plexes, and apartment buildings, along with small-scaled offices and neighborhood-serving businesses. Neighborhood Transition districts create a buffer between Residential Core districts and more intense character districts or busy roads. Many of these districts are located along Imagine Austin Activity Corridors. Neighborhood Transition districts in particular present an opportunity to incorporate more missing middle housing types that are compatible with the neighborhood. The missing middle refers to duplexes and other housing types, such as row houses, bungalow courts and other housing types compatible with the existing neighborhood, that provide options between the scale of single-family houses and mid-rise apartments or condos. As Austin's population grows and its demographics change, these housing types provide the opportunity to accommodate growth in walkable neighborhoods while respecting neighborhood character. The variety of housing types in the missing middle promote multi-generational communities, providing options for young people and for older generations to age in place.

**NT P1:** This district should primarily consist of residential housing types, but at higher densities than in the Residential Core. The following building types should be encouraged the in the district to meet the needs of a wider range of households: (p 54)

- Duplexes
- Fourplexes
- Small- and medium-sized apartments
- Cottage clusters/bungalow courts
- Row houses or townhouses
- Single family houses adapted into offices or retail
- Live/work buildings

**NT P2:** Building scale, height and siting within the Neighborhood Transition district should be harmonious with the adjacent Residential Core district.

**NT P3:** Moving from the Neighborhood Transition to the Residential Core, setbacks, similar building footprints, landscaping (including green infrastructure), similar building heights or setbacks in building height, and/or other means should be used to create compatible developments which fit within the fabric of the neighborhood. Buildings should be no more than 3 stories tall.

**NT P4:** New construction in the Neighborhood Transition district should front the street, with surface or structured parking located behind buildings. Where the Neighborhood Transition character district abuts the Residential Core either mid-block or across a street, special care should be taken to create compatibility between the districts. (p. 57)

**NT P5:** Encourage missing middle housing types that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of the revised Land Development Code, the following zoning districts should be generally considered appropriate to the Neighborhood Transition character district:

SF-2#: Standard lot single family

SF-3#: Family residence

SF-4A#: Small lot single family

SF-4B#: Single family condo

SF-5: Urban family residence

SF-6: Townhouse & condo residence

MF-1: Limited density multi-family

MF-2: Low density multi-family

MF-3: Medium density multi-family

NO: Neighborhood office

LO: Limited office

LR: Neighborhood Commercial

# Zone can be in a given FLUM category, but a zoning change to this district is not recommended

**HA P2:** Encourage development of additional affordable housing integrated into the neighborhood (p. 93)



**HA A9:** Encourage affordable housing in all character districts to meet the needs of a diverse population at different income levels:

- Residential Core: secondary apartments
- Neighborhood Transition: duplexes, “missing middle” housing types, multi-family buildings.
- Neighborhood Node: multi-family buildings, vertical mixed use buildings
- Mixed Use Activity Hub: multi-family buildings, vertical mixed use buildings

Residential uses, along with small-scaled offices and neighborhood-serving businesses appear to be consistent along this portion of W. William Cannon Drive, as long as massing, height, and the intensity of a proposed project is compatible and harmonious with the adjoining Residential Core land uses located to the north.

### **Imagine Austin**

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this section of **W. William Cannon Drive as an Activity Corridor.**

Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

Although this property is located along an Activity Corridor, based on the comparative scale of the site relative to nearby residential and commercial uses, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek and South Boggy Creek Watersheds of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

### **Site Plan**

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. The site is located on Suburban Roadways, and William Cannon is the Principal Roadway

The site is within the Garrison Park/South Austin Combined Neighborhood Planning Area. Design standards and guidelines can be found at <http://austintexas.gov/page/adopted-neighborhood-planning-areas-0>

The site is subject to compatibility standards. Along the north property line, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

### **Transportation**

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

An NTA will not be triggered for this case since access will be provided to both Emerald Forest and William Cannon Drive.

Nathan Wilkes and Eric Dusza with the Public Works Dept. may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

**Water / Wastewater**

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.